

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	:	CHAPTER 13
	:	
NANCY J. GALLAGHER, a/k/a	:	
NANCY GALLAGHER, a/k/a	:	
NANCY JEAN GALLAGHER,	:	
Debtor/Movant	:	CASE NO. 5:20-bk-01821-HWV
	:	
vs.	:	
	:	
JACK N. ZAHAROPOULOS, ESQUIRE,	:	
CHAPTER 13 TRUSTEE,	:	
Respondent	:	

**TRUSTEE'S OBJECTION TO MOTION TO SELL REAL PROPERTY
OF THE ESTATE: 1571 OAK LANE, BUSHKILL, PA 18324**

AND now this 13th day of July 2021, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, by and through his attorney Agatha R. McHale, and objects to the Debtor's Motion to Sell Real Property of the Estate for the following reasons:

1. The Respondent, Jack N. Zaharopoulos, is the duly appointed Trustee for this case.
2. The Trustee does not object to the terms of the sale.
3. The Trustee objects to the proposed distribution of proceeds for the following

reasons:

- a. Paragraph 8 (eight) of the debtor's motion provides that after closing costs, liens, and fees are paid, the net proceeds will be paid to the debtor.
- b. The debtor is entitled to her exemption in the amount of \$24,248.00 from the proceeds, but is not entitled to all of the proceeds. The Trustee alleges and avers that the debtor is not entitled to the appreciation in the real estate that the debtor acquired post-confirmation.
- c. The debtor estimated, and provided support for the valuation of the real estate through a Comparative Market Analysis, that the real estate had a fair market value of Seventy-two Thousand and 00/100 (\$72,000.00) Dollars

(Schedule A, ECF #1) at the time of filing. The real estate has since appreciated in value to Two Hundred Twenty-five Thousand and 00/100 (\$225,000.00) Dollars.

4. Non-exempt proceeds from the sale should be paid into the plan for the benefit of the remaining unsecured claims.

WHEREFORE, your Trustee respectfully requests this Honorable Court to deny debtor's Motion to Sell Real Property of the Estate and grant any and all other remedies deemed reasonable and just.

Respectfully Submitted ,

Jack N. Zaharopoulos
Standing Chapter 13 Trustee
8125 Adams Drive – Suite A
Hummelstown, PA 17036
(717) 566-6097

BY: /s/ Agatha R. McHale
Agatha R. McHale
Attorney for Trustee
amchale@pamd13trustee.com

CERTIFICATE OF SERVICE

AND NOW, this 13th day of July, 2021, I hereby certify that I have served a copy of the within Objection by electronically notifying the parties, or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Robert J. Kidwell, Esquire
P. O. Box 511
Stroudsburg, PA 18360
rkidwell@newmanwilliams.com

/s/ Julie E. Rodichok
Julie E. Rodichok
Paralegal to Jack N. Zaharopoulos
Standing Chapter 13 Trustee